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The Firm that Fights for Workers' Rights!

Via ECF

Hon. Vincent Briccetti
The Hon. Charles L. Brieant Jr.
Federal Building and United States C
300 Quarropas St.
White Plains, NY 10601-4150

APPLICATION GRANTED

The Court construes this letter as a notice of voluntary dismissal pursuant to Rule 41(a)(1)(A)(i). The case is dismissed without prejudice. The Court expresses no opinion about the merits of the case. The Clerk is instructed to terminate the motion (Doc. ##13, 20) and close this case.

Vincent L. Briccetti, U.S.D.J. 3/15/2022

Re: Withdraw of lawsuit

Case. Stewart V. Eastchester Professional Firefighters Local 916
Index No. 7:22-cv-00378

Dear Judge Briccetti,

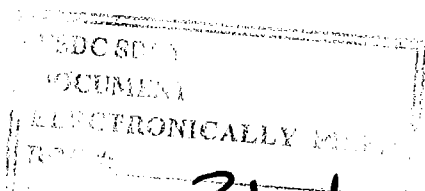
I represent the Plaintiff in the above referenced matter. I am submitting this letter in response to the Defendants' motion to dismiss. Unfortunately, opposing counsel is correct that this Court does not have jurisdiction over this claim. I apologize for the inconvenience, and we must voluntarily withdraw this claim and refile with the Public Employment Relations Board.

However, opposing counsel is incorrect that the claim is frivolous. Attached you will find a document showing that my Client did retire and is entitled to the benefits, as admitted by the Defendant in his moving papers. And attached is the union lawyer's refusal to even explain the basis to which it was refusing to process my Client's grievance to collect his benefit.

Accordingly, I ask that the Court permit the Plaintiff to withdraw the complaint without prejudice so we can pursue his valid claim in the proper forum.

Respectfully,

By: Jordan El-Hag
Jordan El-Hag, Esq



3/15/22